

Order

Michigan Supreme Court
Lansing, Michigan

March 19, 2008

Clifford W. Taylor,
Chief Justice

134033

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

RUBY & ASSOCIATES, P.C.,
Plaintiff-Appellant,

v

SC: 134033
COA: 266312
Oakland CC: 2003-053998-CH

SHORE FINANCIAL SERVICES,
d/b/a SHORE MORTGAGE,
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS,
INC., and COMERICA, INC.,
Defendants-Appellees.

On order of the Court, the application for leave to appeal the April 19, 2007 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we VACATE in part the judgment of the Court of Appeals insofar as that court concluded that plaintiff's lis pendens was invalid, and we AFFIRM the Oakland Circuit Court's February 10, 2005 opinion and order granting summary disposition in defendants' favor. The circuit court correctly concluded that, regardless of the validity of the lis pendens, any rights that plaintiff held under the lis pendens merged into—and were extinguished by—the quit claim deed. Accordingly, both lower courts correctly held that, because plaintiff failed to exercise its right of redemption, plaintiff's rights to the property were extinguished when the redemption period expired and the foreclosure became final. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.



10312

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 19, 2008

Corbin R. Davis

Clerk